

Middleton takes over ethics panel

7-17-02
 Senator promises investigation of Miller will be fair, thorough

INDEPENDENT

BY THOMAS DENNISON

STAFF WRITER

Senate President Thomas V. Mike Miller Jr. has appointed a close ally to become co-chairman of the ethics panel investigating charges that he and three other senators improperly called judges who would decide whether the state's legislative redistricting map was valid.

The chairman of the state Republican Party, who lodged the complaint against the legislators last month, said he is "concerned about the good ol' boy, buddy-buddy relationship" between Miller and Sen. Thomas M. Middleton, who took the helm of the legislature's in-house ethics committee this week.

Miller (D-Prince George's, Calvert) defended Middleton's appointment, and Middleton (D-Charles) pledged to run a thorough and fair investigation.

"I would much rather walk barefoot through a hot bed of coals than have to deal with some of these issues," Middleton conceded. "But this committee's first priority is to ensure the integrity of the legislature

and to handle these issues as fairly and expeditiously as possible."

Middleton replaces Sen. Michael J. Collins (D-Baltimore)

as Senate chairman of the ethics panel. Collins resigned June 30 to take a job with the Maryland Board of Contract Appeals.

Charges were filed after the Court of Appeals said Miller, retiring Senate Majority Leader

Clarence W. Blount (D-Baltimore), Sen. Ida G. Ruben (D-Montgomery) and Sen. Ulysses Currie (D-Prince George's) had contacted judges who were considering legal challenges to the state's redistricting plan. All four denied any wrongdoing, and the court has since thrown out the map and drawn its own.

The ethics complaint is steeped in political intrigue and controversy.

It was brought by state GOP Chairman Michael S. Steele, now the running mate of Rep. Robert L. Ehrlich Jr. (R-Md., 2nd), the Republican front-runner for governor. A recent poll of 829 registered voters conducted by Gonzales/Arscott Research & Communications confirmed the public interest in the case, showing that 61 percent of voters believe the senators' contacts affected the court's decision to throw out the redistricting map.

Despite the controversy, Middleton, a member of the ethics committee since 1997, said he welcomes the opportunity to replace Collins and promises to bring the case to a close before the Nov. 5 general election — and possibly before the Sept. 10 primary.

"There will be a fair and legitimate review of the allegations against [the senators]," he said. "It is going to be our job on the committee to sift through the politics involved, get to the facts and to bring the matter to a close as expeditiously as possible."

Miller rebutted criticism of Middleton, calling him "a proven leader of the utmost integrity and honesty."

"No one has ever questioned his integrity and honesty," he said Thursday. "There isn't a single Democrat or Republican in the body that has anything bad to say about Mac Middleton."

Close allies

Middleton and Miller are close friends, having grown up together in Southern Maryland. Both come from huge families

— Middleton was one of 15 children, Miller is the oldest of 10 — and both had parents who were heavily involved in politics. Middleton has been a close ally of Miller throughout his two-term Senate career, and they are cut from the same conservative Democrat mold.

This alliance, in part, has led to Middleton's meteoric rise to his coveted position as chairman of the capital budget panel on the Senate Budget and Taxation Committee and sparked speculation that he is the heir to Miller's throne as Senate president.

"Mike Miller knows that I would go through a wall for him," Middleton said. "I have tremendous respect for him because he makes the Senate work so well. But when it comes to the matter pending before the committee, I share the same beliefs that he does that the integrity of the legislature is of paramount importance."

But the men's tight relationship and Middleton's appointment to chair the ethics committee has led to suggestions of impropriety.

"The perception of a conflict is unavoidable," said Del. David R. Brinkley (R-Frederick), a member of the ethics committee. "But in watching the ethics committee in action, there is an independent course of action that evolves. The committee has an independent streak."

Steele said he "is not crazy" about Miller appointing Middleton as chairman of the committee that is investigating him.

"I'm a little concerned about the good ol' boy, buddy-buddy relationship that Miller has with Middleton, but I'm hopeful that the process will move forward fairly," he said.

Clearing the air

Miller was not unaware of the political sensitivity of Middleton's appointment. He asked the state Attorney General's Office whether he could delegate his appointment power to another senator after Collins resigned.

In a June 24 reply to Miller, Assistant Attorney General Kathryn M. Rowe wrote, "The statute clearly requires that these appointments be made by you and does not provide for a substitute decision maker."

Miller then wrote a letter, dated July 8, to members of the Senate explaining that he was "uncomfortable" appointing either a new chairman or a new member of the committee to fill Collins' vacancy. He said he appointed Middleton based on Collins' recommendation.

Collins, in a letter dated June 28, nominated Middleton to be chairman and Sen. Nathaniel McFadden (D-Baltimore) to fill his seat on the committee.

"I know every member of the Senate respects the individuals nominated by Sen. Collins," Miller wrote his colleagues. "I hope every member of the Senate can appreciate the dilemma created by these vacancies, as well as the procedure I followed to resolve this issue."

Middleton said Miller's devotion to the Senate has rubbed off on him over the past eight years, and that will serve him well when the ethics committee formally deliberates the charges against him and the other senators.

"At the very least and at the very most, all any legislator wants and deserves is fair treatment," Middleton said. "I'm committed to that end."